

1/21/11 10:57:02
DK T BK 3,266 PG 731
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

WHEN RECORDED MAIL TO:

First Tennessee Bank National Association, P.O. Box 1986, Memphis, TN 38101

SEND TAX NOTICES TO:

William Mark Hixson and Carlene K. Hixson, 5485 Pepper Chase Dr., Southaven, MS 38671

FOR RECORDER'S USE ONLY

This Modification of Deed of Trust prepared by:
Commercial Credit Fulfillment
First Tennessee Bank National Association
P.O. Box 1986
Memphis, TN 38101
(662) 349-2959

INDEXING INSTRUCTIONS: Lot 30A, Plum Point Villages, in Section 1, Township 2 South, Range 8 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 54, Page 44, in the office of the Chancery Clerk of DeSoto County, Mississippi.

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated November 26, 2010, is made and executed between William Mark Hixson and Carlene K. Hixson, whose address is 5485 Pepper Chase Dr., Southaven, MS 38671 ("Grantor") and First Tennessee Bank National Association, whose address is Commercial Banking - Southaven, 615 Goodman Road East, Southaven, MS 38671 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated October 22, 2004 (the "Deed of Trust") which has been recorded in DeSoto County, State of Mississippi, as follows:

WHEREAS, to secure an indebtedness evidenced by a Note dated as of October 22, 2004, in the original principal amount of Two Million Five Hundred Ninety-two Thousand Five Hundred & 00/100 (\$2,592,500.00) executed by Grantor to Lender and all renewals, extensions, amendments, and modifications thereof, Grantor executed to Trustee a Deed of Trust dated October 22, 2004 and filed of record on October 22, 2004 in Book 2091, Page 0792, Office Chancery Clerk Office of DeSoto County, Mississippi.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in DeSoto County, State of Mississippi:

See Exhibit "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as Lot 30A, Plum Point Villages a/k/a 5485 Pepper Chase Drive,

**MODIFICATION OF DEED OF TRUST
(Continued)**

Loan No: 30023369

Page 2

Southaven, MS 38671.

MODIFICATION. Lender and Grantor hereby modify the Deed of Trust as follows:

WHEREAS, Borrower has this day executed to Lender modification agreement which amends, modifies, extends and/or renews the Note and which extends the maturity date to November 20, 2015 (the "Modified Note"); and the parties hereto desire to amend the Deed of Trust to provide that the Deed of Trust shall secure the Modified Note and all extensions, renewals, amendments, and modifications thereof.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED NOVEMBER 26, 2010.

GRANTOR:

X 
William Mark Hixson

X 
Carlene K. Hixson

LENDER:**FIRST TENNESSEE BANK NATIONAL ASSOCIATION**

X 
Authorized Officer

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 30023369

Page 3

INDIVIDUAL ACKNOWLEDGMENT

STATE OF MS)
) SS
COUNTY OF Desoto)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 26 day of November, 20 10, within my jurisdiction, the within named William Mark Hixson and Carlene K. Hixson, who acknowledged that they signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned.

[Signature]
NOTARY PUBLIC

My Commission Expires:
6-16-2014



LENDER ACKNOWLEDGMENT

STATE OF MS)
) SS
COUNTY OF Desoto)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 26 day of November, 20 10, within my jurisdiction, the within named Mackey Moore, who acknowledged that (he)(she) is Regional President of First Tennessee Bank National Association and that in said representative capacity (he)(she) executed the above and foregoing Modification, after first having been duly authorized so to do.

[Signature]
NOTARY PUBLIC

My Commission Expires:
6-16-2014



EXHIBIT "A"

Lot 30A, Plum Point Villages, situated in Section 1, Township 2 South, Range 8 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 54, Page 44, in the office of the Chancery Clerk of DeSoto, Mississippi.